

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ANTONIO M. CROCKETT, )  
v. )  
Plaintiff ) ) No. 3:13-1014  
v. ) ) Judge Sharp/Bryant  
SGT. SCOTT SATTERLEE, )  
CPT. BRANDON ROBERTSON, )  
and CPT. COREY TONEY, )  
Defendants )

**TO: THE HONORABLE KEVIN H. SHARP, DISTRICT JUDGE**

**REPORT AND RECOMMENDATION**

For the reasons stated below, the undersigned Magistrate Judge recommends that the complaint in this action be dismissed for Plaintiff's failure to comply with orders of the Court requiring him to complete and return service packets for the Defendants.

Plaintiff Crockett, a prisoner proceeding *pro se* and in *forma pauperis*, filed this action on August 7, 2013, alleging that Defendants violated his constitutional rights under 42 U.S.C. § 1983 (Docket Entry No. 1). On September 19, 2013, the Court granted Plaintiff's application to proceed in *forma pauperis* and instructed the Clerk to send to Plaintiff a service packet (a blank summons and USM285 form) for each Defendant. The Court ordered Plaintiff to complete these service packets and return them to the clerk's office within 30 days after the receipt of the Court's order (Docket Entry No. 8). Despite this order, Plaintiff Crockett has failed to return completed service packets.

On November 8, 2013, the undersigned Magistrate Judge issued an order requiring Plaintiff Crockett to show cause on or before November 25, 2013, why his complaint should not be dismissed for his failure to comply with the court order requiring him to

complete and return service packets for Defendants (Docket Entry No. 11). This order admonished Plaintiff that his failure to respond may cause the undersigned Magistrate Judge to recommend that his complaint be dismissed. Despite this order to show cause, Plaintiff Crockett has failed to respond or to return completed service packets as ordered.

For the reasons stated above, the undersigned Magistrate Judge finds that Plaintiff's complaint should be dismissed with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for Plaintiff's failures to comply with orders of the court.

#### **RECOMMENDATION**

For the reasons stated above, the undersigned Magistrate Judge recommends that Plaintiff's complaint be DISMISSED with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

**ENTER** this 3<sup>rd</sup> day of December, 2013.

/s/ John S. Bryant  
JOHN S. BRYANT  
United States Magistrate Judge